

And I encourage my colleagues to join me in voting for this legislation.

#### MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent there be a period of morning business with Senators permitted to speak for up to 10 minutes each between now and 12:30 p.m., with the time equally divided between the two leaders. And I ask consent, in order to get some fair debate, that the distinguished ranking member of the Finance Committee be recognized for the first 10 minutes, Senator WELLSTONE for the second 10 minutes, Senator GRAMM for the third 10 minutes, and Senator DURBIN for the fourth 10 minutes.

Mr. DASCHLE. Mr. President, reserving the right to object, I just do so to inquire of the majority leader about the schedule for the remainder of the day. It appears that the only remaining legislative item to be taken up today may be the continuing resolution.

Mr. LOTT. Correct.

Mr. DASCHLE. As I understand it, we do not have an objection to taking up the continuing resolution under a voice vote.

Mr. BUNNING. Yes, we do.

Mr. DASCHLE. We do have an objection?

Mr. BUNNING. Yes, we do.

Mr. LOTT. Mr. President, if the Senator would yield, as we had discussed, we hope when the House does act within the next, hopefully, 20 or 30 minutes, we would talk further and make some decisions about whether or not we would want to modify that continuing resolution in any way.

If we couldn't, of course, then we would see if we could clear it by a voice vote. We don't have it done yet, but we haven't gotten to that point yet. Within 30 minutes, we hope to get a clarification of when a vote would occur or if any modification might be forthcoming.

I don't want to go too far beyond just saying that right now. Senator DASCHLE and I are exchanging ideas. I do think we have reached a point where we need to make some decisions. Senators as well as House Members and the administration need to know what to expect. I think, to be perfectly honest, nobody wants to step up and say we have to look at an alternative. I am prepared to do that. I believe Senator DASCHLE is prepared to join me in that. We ask your indulgence for at least 30 minutes, and then we will see what we can do at that point.

The PRESIDING OFFICER. Is there objection?

Mr. LOTT. Mr. President, I amend my request that after Senator DURBIN, Senator HUTCHISON be included in the queue.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. I thank my colleagues and yield the floor.

The PRESIDING OFFICER. The Senator from New York is recognized.

#### TRADE ISSUES

Mr. MOYNIHAN. Mr. President, the majority leader has, on several occasions, noted that this Congress, particularly this session of this Congress, has been singular in the number of major trade measures that have been enacted.

With the cooperation of the minority leader, with the full support of the chairman of the Finance Committee, Senator ROTH—who was here just a moment ago but whose schedule required that he leave as soon as the unanimous consent measure was adopted—we have agreed to major trade legislation with sub-Saharan Africa—that entire part of the continent; to expand the Caribbean Basin Initiative, which is hugely important in the aftermath of the North American Free Trade Agreement—which suddenly put island nations and nations on the isthmus below Mexico at a disadvantage, which no one intended and which we have now been able to redress in some considerable measure. The permanent normal trade relations with China was one of the most important pieces of legislation we have dealt with in a half century in the Congress. And we passed the Tariff Suspension and Trade Act of 2000, granting, among other things, permanent normal trade relations to Georgia, just last week.

Now as the closing days are at hand, or may be at hand—in any event, it is the first of November—we have taken this action by unanimous consent to adopt an amended version of the FSC Repeal and Extraterritorial Income Exclusion Act of 2000. That is a long title for a simple proposition. The World Trade Organization ruled that a measure in our Tax Code which has been in place for many years now, the Foreign Sales Corporation, which gave a tax benefit for income earned overseas—it was to encourage overseas sales—was contrary to the World Trade Organization rules.

I think we do not disagree; when we look at the rules, look at the law, the ruling was correct. But we had to then change our laws in order to give equivalent treatment to American corporations working overseas so that they would remain competitive in those markets, but would not be in violation of the WTO rules. If we were not to do that, sir, and do it today, we would be subject to \$4 billion a year in tariff retaliation from the European Union. It had the potential of a ruinous trade war. We have seen the animosity that arises over bananas. How the United States ever got into the business of exporting bananas, I do not know. I think I understand some of the politics involved, but that was unfortunate. But look at how quickly reactions occurred in Europe. Just wait, if \$4 billion in retaliatory tariffs were to close off American access to European markets selectively—the more sensitive items chosen, the greatest damage doable—if that were the disposition of the ministers in Brussels, and it might well be.

Well, it is not going to happen. We have done this properly. It is no coincidence that the Finance Committee, under the chairmanship of my revered friend from Delaware, Senator ROTH, adopted this measure—it is a House measure, of course—on the same day we passed out the bill to grant China permanent normal trade relations. These are trade matters of great importance.

We did it. The House and Senate subsequently agreed to a slightly different version, which we have adopted today. It will have to go back to the House. There will be no problem. The House conferees have already agreed, in the comprehensive tax bill and the Balanced Budget Refinement bill, to the exchanges.

So it is a good day and a good morning's work. Not every morning do we avoid a trade war. This morning we did. We did not have an hour to lose. The deadline was November 1. We often do things at the last minute around here. But we often do things well also.

I see my friend from Texas is on the floor. I know he would agree that avoiding a trade war over the Foreign Sales Corporation is a very good thing indeed. We have done it this morning with not a moment to lose. My friend from Texas will recall the deadline of November 1. And it is now November 1. We have done well.

I thank Senator DURBIN and others who had amendments they wanted to offer—Senator WELLSTONE, Senator BRYAN. They had every right to do so, and they could have done so. They chose not in the larger interest of the United States. I think we should express our particular gratitude to them for their forbearance.

I have said my piece. I thank all on behalf of Senator ROTH and the Finance Committee, which acted unanimously in this regard. We have dodged a big bullet. We did it usefully and quickly in the spirit of cooperation about trade matters, which will mark this Congress. Perhaps we might even get that fact reported in the press somewhere. If not, we can maybe start a web site of our own. It would be worth it.

Mr. President, I thank you for your courtesy. I see the assistant majority leader on the floor, and I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I ask unanimous consent to address the Senate for 2 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. NICKLES. Mr. President, I thank my colleague from New York for his leadership, as well as Senator ROTH.

This is an area where we have worked in a bipartisan way with the administration. It is important on international trade work. It is important that we avoid countertariffs that could possibly be enacted. I think it is good